

AMENDED BILL NO. 21-41

AN ORDINANCE APPROVING A SPECIAL USE PERMIT RENEWAL FOR A MINI-WAREHOUSE STORAGE FACILITY IN DISTRICT CP-2 ON LAND LOCATED AT 1920 NE RICE RD, EXISTING SUMMIT SELF STORAGE, ALL IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33, THE UNIFIED DEVELOPMENT ORDINANCE, OF LEE'S SUMMIT CODE OF ORDINANCES, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2020-371 submitted by Terrydale Investments IV, LLC, requesting a special use permit renewal for a mini-warehouse storage facility in District CP-2 (Planned Community Commercial District) on land located at 1920 NE Rice Rd, Summit Self Storage was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, the Unified Development Ordinance provides for the approval of a special use permit by the City following public hearings by the Planning Commission and City Council; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the consideration of the special use permit on February 11, 2021, and February 25, 2021, and rendered a report to the City Council recommending that the special use permit renewal be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on March 23, 2021, and approved a motion for a second ordinance reading to approve the preliminary development plan for said property; and,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That the application pursuant to Section 6.1020 of the Unified Development Ordinance to allow for a mini-warehouse storage facility in District CP-2 with a special use permit is hereby granted for a period of 20 years with respect to the following described property:

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 48, RANGE 31, IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 48, RANGE 31, AND THE WEST LINE OF HIGHWAY M-291, SAID POINT LYING 61.50 FEET WEST OF THE NORTHEAST CORNER OF SAID QUARTER QUARTER SECTION (BEARINGS BASED ON AN ASSUMED BEARING OF SOUTH 89 DEGREES 45 MINUTES 20 SECONDS EAST FOR THE NORTH LINE OF SAID QUARTER QUARTER SECTION); THENCE ALONG SAID WEST LINE OF M-291 HIGHWAY AS FOLLOWS: SOUTH 00 DEGREES 20 MINUTES 02 SECONDS WEST A DISTANCE OF 436.66 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 20 MINUTES 02 SECONDS WEST A DISTANCE OF 478.10 FEET; THENCE SOUTH 89 DEGREES 39 MINUTES 58 SECONDS EAST A DISTANCE OF 10.00 FEET; THENCE SOUTH 00 DEGREES 20 MINUTES 02 SECONDS WEST DISTANCE OF 73080 FEET; THENCE SOUTH 48 DEGREES 24 MINUTES 55 SECONDS WEST A DISTANCE OF 82.68 FEET; THENCE NORTH 89 DEGREES 46 MINUTES 37 SECONDS WEST A DISTANCE OF 190.00 FEET; THENCE NORTH 06 DEGREES 50 MINUTES 12 SECONDS WEST A DISTANCE

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353.91 FEET; THENCE NORTH 02 DEGREES 51 MINUTES 17 SECONDS EAST A DISTANCE OF 134.82 FEET; THENCE NORTH 08 DEGREES 08 MINUTES 17 SECONDS EAST A DISTANCE 275.73 FEET; THENCE SOUTH 89 DEGREES 35 MINUTES 44 SECONDS EAST A DISTANCE OF 192.31 FEET; THENCE NORTH 00 DEGREES 21 MINUTES 55 SECONDS EAST A DISTANCE OF 42.17 FEET; THENCE SOUTH 88 DEGREES 12 MINUTES 49 SECONDS EAST A DISTANCE OF 60.01 FEET TO THE POINT OF BEGINNING.

SECTION 2. That the following conditions of approval apply:

1. The special use permit shall be approved for a period of 20 years.

SECTION 3. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit.

SECTION 4. Nonseverability. All provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgment on the merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgment.

SECTION 5. That this ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this ___ day of _____, 2021.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

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APPROVED by the Mayor of said city this ____ day of _____, 2021.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*